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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,076	11/13/2001	Jiro Senda	Q66742	6567
7590 02/24/2006 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			EXAMINER POKRZYWA, JOSEPH R	
			ART UNIT 2622	PAPER NUMBER
DATE MAILED: 02/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/987,076	Applicant(s) SENDA, JIRO	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/13/01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 11/13/01 have been considered by the examiner (see attached PTO-1449).

Drawings

3. The drawings received on 11/13/01 are acceptable by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by Nihei (U.S.

Patent Number 6,891,634)

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding **claim 1**, Nihei discloses an image transmitting device (see Figs. 1-5) comprising combining process means for generating a composite image by joining a plurality of original images (column 8, lines 31-59), storing means for storing the composite image generated by the combining process means and the original images that the composite image comprises together with corresponding combining data required for generating the composite image (working DRAM 14, column 8, lines 31-59), and selection process means for executing a selection process that outputs one or more of the composite image, original images, or combining data as output data based on an output destination device specified as the destination for image transmission (see Figs. 6-21, column 5, lines 11-49, and column 8, lines 31-59).

Regarding **claim 2**, Nihei discloses the image transmitting device discussed above in claim 1, and further teaches of an output data selection table that associates identification data for a plurality of destination devices with various output or non-output data of the composite image, original images, and combining data (see Figs. 6 and 18, column 4, lines 39-44, and column 7, lines 21-61), and the selection process means executes the selection process on output data based on settings in the output data selection table (see Figs. 6-21, column 5, lines 11-49, and column 8, lines 31-59).

Regarding **claim 3**, Nihei discloses the image transmitting device discussed above in claim 1, and further teaches that the selection process means executes a selection process on output data predetermined based on attributes of the output destination device (see Figs. 6-21, column 5, lines 11-49, and column 7, line 21-column 8, line 59).

Regarding **claim 4**, Nihei discloses the image transmitting device discussed above in claim 1, and further teaches that the selection process means executes a selection process on output data based on user specifications (see Figs. 6-21, column 5, lines 11-49, and column 7, line 21-column 8, line 59).

Regarding **claim 5**, Nihei discloses an image transmitting method comprising a composite process step for generating a composite image by joining a plurality of original images (column 8, lines 31-59), a storing step for storing the composite image generated by the combining process means and the original images that the composite image comprises together with corresponding composite data required for generating the composite image (in working DRAM 14, column 8, lines 31-59), and a selection process step for executing a selection process that outputs one or more of the composite image, original images, or combining data as output data based on an output destination device specified as the destination for image transmission (see Figs. 6-21, column 5, lines 11-49, and column 8, lines 31-59).

Regarding **claim 6**, Nihei discloses the image transmitting method discussed above in claim 5, and further teaches that the selection process in the selection process step is executed on output data based on settings in an output data selection table that associates identification data for a plurality of destination devices with various output or non-output data of the composite

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image, original images, and combining data (see Figs. 6-21, column 4, line 39-column 5, line 44, and column 7, line 21-column 8, line 59).

Regarding *claim 7*, Nihei discloses the image transmitting method discussed above in claim 5, and further teaches that the selection process in the selection process step is executed on output data predetermined based on attributes of the output destination device (see Figs. 6-21, column 5, lines 11-49, and column 7, line 21-column 8, line 59).

Regarding *claim 8*, Nihei discloses the image transmitting method discussed above in claim 5, and further teaches that the selection process in the selection process step is executed on output data based on user specifications (see Figs. 6-21, column 5, lines 11-49, and column 7, line 21-column 8, line 59).

Citation of Pertinent Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Morita (U.S. Patent Number 6,331,896) discloses a printing system; and

Haneda *et al.* (U.S. Patent Number 6,819,449) discloses an image printing and filing system.

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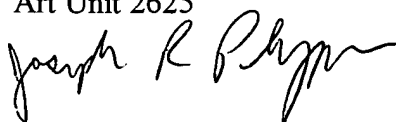
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625



jrp